

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

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In the Matter of )

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Amendment of Part 73 of the Commission's )  
Rules to More Effectively Resolve Broadcast )  
Blanketing Interference, Including )  
Interference to Consumer Electronics and )  
Other Communications Devices )

MM Docket No. 96-62

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**COMMENTS OF THE  
CONSUMER ELECTRONICS MANUFACTURERS ASSOCIATION**

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The Consumer Electronics Manufacturers Association ("CEMA"), a sector of the Electronic Industries Association, hereby submits the following comments in response to the Notice of Proposed Rulemaking ("*Notice*") which the Commission issued in the above-captioned proceeding on April 26, 1996.<sup>1</sup> In its *Notice*, the Commission has proposed to change its existing rules concerning blanketing interference in order to reduce consumer frustration with interference to certain equipment, and to prompt broadcasters to be more aggressive in assisting consumers to resolve these interference problems. As set forth more fully below, CEMA supports the Commission's efforts to reconcile and strengthen its blanketing interference rules. The proposed rules, however, should be refined to more effectively protect consumer interests.

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<sup>1</sup> See *Amendment of Part 73 of the Commission's Rules to More Effectively Resolve Broadcast Blanketing Interference, Including Interference to Consumer Electronics and Other Communications Devices*, FCC 96-124, MM Docket No. 96-62 (released Apr. 26, 1996).

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## **I. INTEREST OF CEMA**

CEMA is the principal trade association of the consumer electronics industry. CEMA members design, manufacture, import, distribute and sell a wide variety of consumer electronics equipment, including television receivers, video equipment, home-use amplifiers, stereos, stereo speakers, CD players, radios and personal computers. To a great extent, the wide variety of consumer electronics equipment available in the United States today reflects the development and manufacturing efforts of CEMA member companies. CEMA also participates in the EIA Advanced Television Committee, a multi-industry organization dedicated to promoting dialogue and developing consensus on the many technical and policy questions presented by the introduction of ATV. CEMA and its members therefore have a direct interest in the outcome of this rulemaking proceeding.

## **II. THE CONSOLIDATION AND ELABORATION OF THE COMMISSION'S BLANKETING RULES WILL PROMOTE THE PUBLIC INTEREST**

In the *Notice*, the Commission has proposed to consolidate the rules governing broadcast blanketing interference in a single new Section 73.1630. New Section 73.1630 would, for the first time, define the method for calculating the blanketing contour of AM broadcast stations. In addition, the existing method for calculating the interference contour of FM stations would be used to calculate the interference contour of TV stations. The new rule would also detail each broadcast licensee's responsibilities to help resolve complaints of blanketing interference.<sup>2</sup>

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<sup>2</sup> See *id.* at Appendix A.

CEMA supports each of these proposals. The new rule will clarify -- for the benefit of both broadcasters and the public -- the scope of each broadcaster's responsibilities with regard to blanketing interference. In this regard, CEMA notes that consumer electronics devices are far more prevalent in U.S. households today than they were in 1984, when the Commission last significantly modified its blanketing interference rules.<sup>3</sup> Given current projections, especially for ATV receivers and other information highway access devices, the presence of consumer electronics in the nation's households will continue to increase at a healthy rate. At the same time, consumer awareness of blanketing interference and the methods for resolving it remains relatively low. The Commission's proposals will not only add clarity to the technical aspects of the Commission's rules but -- through consolidation and elaboration -- will make these rules easier to apply and, therefore, more consumer friendly.

The *Notice* also inquires whether the suggested interference contours and methods of calculation are appropriate.<sup>4</sup> The Commission's current rules define the blanketing interference contour for AM stations at each station's 1 V/m contour, and at the 115 dBu contour for FM stations. The *Notice* proposes a 115 dBu blanketing interference contour for TV stations.<sup>5</sup> The Commission's "cable-ready" rules, however, require television receivers to tolerate only 100 mV/m in "direct pick up" interference.<sup>6</sup> Given this gap, CEMA fears that the

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<sup>3</sup> See *FM Broadcast Station Blanketing Interference*, 57 R.R.2d 126 (1984) [hereinafter "1984 Order"].

<sup>4</sup> See *Notice* at ¶ 15.

<sup>5</sup> See *id.* at ¶¶ 12-15.

<sup>6</sup> See 47 C.F.R. § 15.118.

proposed blanketing contour may not be as effective as the Commission desires in addressing blanketing interference to television receivers.

### **III. THE RESPONSIBILITIES OF BROADCASTERS TO RESOLVE INTERFERENCE COMPLAINTS SHOULD BE EXPANDED, GIVEN THE INCREASED USE OF CONSUMER ELECTRONICS AND THE GREATER MOBILITY OF CONSUMERS**

Under the Commission's existing rules, a licensee is financially responsible for resolving interference complaints within a station's interference contour if the complaints are filed during the first twelve months after the licensee modifies or commences its operations. The licensee is not financially responsible for, but is required to *cooperate* in resolving, interference complaints: (1) where the complaint is filed during the first year and it concerns interference beyond the blanketing contour; and (2) where the complaint is filed after the first year and it concerns interference within the blanketing contour. The *Notice* asks whether a station's obligations should extend to complaints filed after the twelve-month period, given today's highly transitory society. The *Notice* also inquires whether a station should be required to resolve complaints within a specified period of time.<sup>7</sup>

Although broadcasters should remain obligated to remedy instances of blanketing interference within twelve months after they relocate or alter their stations' operating parameters, CEMA believes that broadcasters also should be obligated to remedy individual cases of interference which occur within *six* months of when a consumer moves into, or tries to use new equipment within, the area circumscribed by the broadcaster's blanketing contour. To ensure that consumers are adequately protected, the Commission's rules should reflect the nature both

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<sup>7</sup> See *Notice* at ¶¶ 16 & 19.

of today's labor market and of the consumer electronics market. Consumers are changing jobs and moving to new homes, as well as moving consumer electronics into their homes, with increasing frequency. By limiting a broadcaster's responsibility to remedy interference complaints to the *broadcaster's* conduct, the Commission will not be addressing the heart of today's interference of problems. To successfully deal with blanketing interference, the Commission's rules should require broadcasters to remedy interference complaints based on *consumer* action as well.

In addition, absent extenuating circumstances, broadcasters should be required to respond to consumer complaints within 10 days, and resolve them within 30 days, as the Commission has proposed.<sup>8</sup> A reasonable, mandatory response time will ensure that blanketing interference complaints receive the attention they deserve. The Commission's existing interference rules recognize that there is a delicate balance between consumer protection and the operation of high-power broadcasting stations. Mandatory response times will ensure that this balance of interests is fairly maintained on a day-to-day basis. Mandatory response times will also reduce the likelihood that the Commission will be called upon to mediate disputes over delays in resolving interference complaints, as the Commission now is.<sup>9</sup>

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<sup>8</sup> See *id.* at ¶ 25.

<sup>9</sup> See *id.* at ¶ 10.

#### IV. SECTION 73.1630 SHOULD BE EXPANDED TO COVER BOTH RF AND STATIONARY NON-RF DEVICES

The Commission's current rules do not require broadcasters to address blanketing interference caused to stationary (*i.e.*, fixed and portable) non-RF consumer devices, such as tape recorders and "hi-fi" amplifiers. The *Notice* proposes to expand this list of "exempt" devices to include CD players, computers, digital tape recorders, answering machines, telephones and musical instrument amplifiers. Antenna booster amplifiers also would be excluded from protection.<sup>10</sup>

The *Notice*, however, offers no justification for expanding the list of "exempt" stationary devices. To the contrary, the *Notice* recognizes that at least with respect to one type of device on the expanded list -- telephones -- interference complaints are growing rapidly (this appears to be true for both wired and wireless telephones).<sup>11</sup> If the interests of consumers are to be served, *all* stationary non-RF devices should be covered by new Section 73.1630 since all such devices are susceptible to blanketing interference.<sup>12</sup>

In reviewing the Commission's prior decisions in this area, it appears that the rationale for exempting certain devices was the *assumption* that protecting them from blanketing interference would be a task "beyond the realm of reasonableness."<sup>13</sup> Neither the Commission's prior decisions nor the record of this proceeding, however, provides any factual or analytic support for incorporating such a broad assumption into the Commission's rules.

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<sup>10</sup> See *id.* at Appendix A.

<sup>11</sup> See *id.* at ¶¶ 23-24.

<sup>12</sup> Accord *id.* at ¶ 3.

<sup>13</sup> 1984 Order at ¶ 15.

Whether there ever was justification for such an assumption, the time has come to reexamine and reject it. The *Notice* appropriately focuses on the continuing proliferation of wired and wireless telephones, and the resulting interference issues which must be addressed to ensure these devices meet consumers' expectations.<sup>14</sup> Yet, personal computers, home automation systems and other advanced, non-RF consumer electronics also are proliferating and playing an ever more important part in consumers' day-to-day lives. In an age of ever increasing use of, and reliance on, consumer electronics devices, the Commission should ensure that consumers can enjoy the full benefits of this equipment and that broadcasters assume an appropriate role in resolving blanketing interference complaints. The Commission should therefore eliminate all stationary non-RF devices from its list of "exempt" devices.

**V. THE COMMISSION'S RULES SHOULD NOT OVERLOOK BLANKETING INTERFERENCE FROM NON-BROADCAST SOURCES**

The *Notice* recognizes that telephones also suffer interference from amateur radio and citizens band radio operations.<sup>15</sup> CEMA notes that the problem is actually far more prevalent than the *Notice* suggests, and extends beyond just telephones. Paging operations at 43 MHz and other radio activities also can cause blanketing interference to consumer electronics in the vicinity of the operators' transmission towers. CEMA recognizes that these problems may be beyond the scope of this proceeding, but urges the Commission to consider them in its ongoing efforts to address consumer interests generally

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<sup>14</sup> See *Notice* at ¶¶ 23-24.

<sup>15</sup> See *id.* at ¶ 23.

## VI. CONCLUSION

For all of the foregoing reasons, CEMA urges the Commission to consolidate its rules concerning blanketing interference and to refine them so as to better protect the interests of consumers.

Respectfully submitted,

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